

STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT

VIX TECHNOLOGY (USA), INC., a  
California corporation,

Plaintiff,

v.

, dba SOUND TRANSIT, a Washington  
regional transit authority, and KEVIN  
WALLACE, an individual,

Defendants.

Cause No.: 18-2-19467-9

DEFENDANT SOUND TRANSIT'S  
RESPONSE TO DEFENDANT  
WALLACE'S CROSS-CLAIM

In response to Defendant Kevin Wallace's allegations in a cross-claim against  
Sound Transit, Sound Transit responds as follows:

- A. Sound Transit admits the allegations of Paragraph A of the Cross-claim.
- B. The document quoted by Defendant in Paragraph B speaks for itself.
- C. The document quoted by Defendant in Paragraph B speaks for itself.
- D. Sound Transit denies the allegations of Paragraph D of the Cross-claim.
- E. Sound Transit denies the allegations of Paragraph E of the Cross-claim.
- F. Sound Transit admits that a records request was submitted on May 5,  
2018. All other allegations of Paragraph F of the Cross-claim are denied  
for lack of information.
- G. The document quoted by Defendant in Paragraph G speaks for itself.
- H. The document quoted by Defendant in Paragraph H speaks for itself.
- I. Sound Transit admits the allegations of Paragraph I of the Cross-claim.

DEFENDANT SOUND TRANSIT'S  
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CROSS-CLAIM

CENTRAL PUGET SOUND REGIONAL TRANSIT  
AUTHORITY  
401 South Jackson Street  
Seattle, Washington 98104-2826  
206.398-5000

- 1 J. Sound Transit admits Ms. Nagasawa did not retract her initial  
2 determination and that she did not identify another applicable  
3 exemption. All other allegations of Paragraph J of the Cross-claim are  
4 denied.  
5 K. The document quoted by Defendant in Paragraph K speaks for itself.  
6 L. Sound Transit admits the allegations of Paragraph L of the Cross-claim.  
7 M. Sound Transit admits the allegations of sub-part 1 and sub-part 2 of  
8 Paragraph M of the Cross-claim. Sound Transit admits receiving the  
9 letter referenced in sub-part 3, but Sound Transit denies all other  
10 allegations of sub-part 3 of Paragraph M. Sound Transit denies all  
11 allegations of sub-part 4 of Paragraph M.  
12 N. Sound Transit admits that the email was sent on July 23, 2018. All other  
13 allegations of Paragraph N of the Cross-claim are denied.  
14 O. Sound Transit denies that Vix Technology did not timely seek a  
15 temporary restraining order.  
16 P. The documented quoted by Defendant in Paragraph P speaks for itself.  
17 Q. Sound Transit admits the allegations of Paragraph Q of the Cross-claim.  
18 R. Sound Transit denies the allegations of Paragraph R of the Cross-claim.  
19 S. Sound Transit denies the allegations of Paragraph S of the Cross-claim.  
20 T. Sound Transit denies the allegations of Paragraph T of the Cross-claim.  
21 U. Sound Transit denies the allegations of Paragraph U of the Cross-claim.  
22 V. Sound Transit denies the allegations of Paragraph V of the Cross-claim.  
23 W. Sound Transit denies the allegations of Paragraph W of the Cross-claim.  
24 X. Sound Transit denies the allegations of Paragraph X of the Cross-claim.  
25 Y. Sound Transit denies the allegations of Paragraph Y of the Cross-claim.

18 All remaining allegations of the cross-claim are denied.

21 AFFIRMATIVE DEFENSES:

- 22 1. Wallace's Cross-claim fails to state a claim upon which relief can be  
23 granted.  
24 2. Sound Transit reserves the right to assert additional affirmative  
25 defenses.

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1 DEFENDANT SOUND TRANSIT'S REQUEST FOR RELIEF:

2 Having fully answered the Complaint and having asserted affirmative  
3 defenses, Sound Transit respectfully request the following relief:

- 4 1. An order dismissing Defendant Kevin Wallace's cross-claims with  
5 prejudice.
- 6 2. An award of attorney's fees and costs.
- 7 3. Such other and firther relief as the Court deems just and equitable in  
8 the circumstances.

9 DATED this 14th day of November 2018.

10 By: \_\_\_\_\_

11 James E. Niemer  
12 WSBA # 14477  
13 Attorney for Sound Transit  
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Attorneys for Plaintiff:

Attorneys for Defendant Kevin Wallace

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

Dated this 14<sup>th</sup> day of November 2018, at Seattle, Washington.

Ruby Fowler, Legal Secretary